Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of the Petition of	)	
	)	
HUGHES COMMUNICATIONS GALAXY, INC.	)	RM No. 8638
	)	
To Amend Parts 2, 25 and 90 of the Commission's Rules to Allocate Spectrum for the Fixed Satellite Service.	)	

COMMENTS OF COMSAT WORLD SYSTEMS

COMSAT Corporation, by its COMSAT World Systems business unit (CWS), herein submits its Comments in support of the Petition for Rulemaking (Petition) filed by Hughes Communications Galaxy, Inc. (HCG) to amend Parts 2, 25 and 90 of the Commission's rules to allocate spectrum for the Fixed Satellite Service (FSS) in the 13.75-14.0 GHz band, in the above-captioned proceeding.

CWS, which provides international satellite services operating in the FSS radiofrequency spectrum bands via the INTELSAT system, is a party of interest in this proceeding. As such, CWS believes that the full use of the 13.75-14.0 GHz band is necessary to meet growing demand for international satellite services.

At the global level, frequency bands are allocated by Member Administrations of the International Telecommunication Union (ITU) at World Radiocommunication Conferences (WRC's). At the national level, the Federal Communications Commission determines the frequency bands that will be available for commercial use within the United States through a rulemaking process, such as the subject rulemaking concerned with the 13.75-14.0 GHz band.

Generally, the Commission institutes a rulemaking proceeding following a WRC to implement the results of the conference. It then amends Part 2 of its Rules to include in the national Table of Frequency Allocations any new or modified allocations that were adopted at the WRC and included in the ITU International Table of Frequency Allocations. This is a routine procedure, provided the U.S. Delegation to the Conference supported the new or modified spectrum allocations, as was indeed the case at the 1992 World Administrative Radio Conference, where the Final Acts adopted include the new spectrum allocation for FSS at 13.75-14.0 GHz.[1]

CWS first proposed a new spectrum allocation for FSS uplinks (earth-to-space) at Ku-band in response to the Commission's First

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[1] The designation of World Administrative Radio Conference (WARC) was changed to World Radiocommunication Conference (WRC) at the 1992 Additional Plenipotentiary Conference of the ITU and this change is reflected in the Constitution and Convention of the ITU (Geneva, 1992) as amended by the Final Acts of the Plenipotentiary Conference Kyoto, 1994.

Notice of Inquiry preparing for WARC-92, in order to correct the imbalance between the amount of spectrum allocated for FSS uplinks and the spectrum bands currently allocated for FSS downlinks (space-to-earth). There is now a 500 MHz shortfall of uplink spectrum available for international FSS use in the current Table of Allocations and in Section 25.202 of the Commission's Rules.[2] While the band at 14.5-14.8 GHz originally proposed to correct this imbalance was not adopted by the Commission as part of the U.S. Proposals to the WARC-92 Conference because of conflicts with existing government operations in the band, the U.S. delegation at the Conference was successful in identifying the alternative band at 13.75-14.0 GHz and in working with others at the Conference to reach agreement on this new allocation for FSS.[3]

CWS fully supports the need for the new FSS allocation at 13.75-14.0 GHz, as was recognized by the U.S. delegation at WARC-

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[2] For a discussion of this imbalance see the HCG Petition at 3-4.

[3] See The United States Delegation Report on the World Administrative Radio Conference, released July 1992, Department of State Publication 9988 at 31, which states in part: "The United States succeeded in deflecting the conference from changing the table of allocations in the 14.5-14.8 GHz band, thus protecting vital operations in the band. Working closely with representatives at the conference from Intelsat, the United States was able to identify, and the conference successfully reached agreement on, an FSS allocation at 13.75-14.0 GHz to support the Intelsat requirements. Two footnotes were added to the table of allocations to ensure compatible operation between the FSS, the radiolocation service, and the space research service that must share the band."

92 and as thoroughly presented in the HCG Petition. As indicated by HCG, the ITU's Space Network List shows that over one hundred satellite systems worldwide propose to use the new 13.75-14.0 GHz FSS band.[4] INTELSAT has filed the proper notification with the ITU, indicating its intent to make use of the 13.75-14.0 GHz band to help meet the growing demand for satellite services in the global market. In order to participate and compete in this market, CWS will need access to this band in the United States to offer its international satellite services via the INTELSAT system. Therefore, we request the Commission to act favorably on the Petition and to allocate the 13.75-14.0 GHz band as an uplink band for the FSS on a co-primary basis for international service.

With regard to the present status of the 13.74-14.0 GHz band at the international level, we note that WRC-95 is scheduled to take action to reflect the successful completion of sharing studies and the adoption within the ITU Radiocommunication Sector of Recommendations that will be the basis for using this new co-primary FSS allocation. CWS supports the Commission's Draft Proposal No. 4/SS to WRC-95, which would amend Article 8 of the Radio Regulations to accomplish the final phase of making the 13.75-14.0 GHz available for FSS operations.[5]

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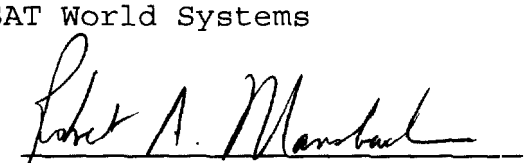
[4] Petition of HCG at 7.

[5] For a complete discussion of the actions to be taken at WRC-95 regarding the 13.75-14.0 GHz band, see Preparation for International Telecommunication Union World Radiocommunication Conference, IC Docket No. 94-31 (Second Notice of Inquiry), released January 31, 1995. See also, Comments of COMSAT World

In view of the foregoing, and for the reasons set forth in the Petition, CWS requests the Commission to grant the Petition and to proceed to amend the Table of Frequency Allocations contained in Section 2.106 of the Commission's Rules. The Commission should also amend Sections 25.202, 25.204 and 90.103 of the Rules to allow use of the 13.75-14.0 GHz band on a co-primary basis within the United States for all international FSS uplinks.

Respectfully submitted,

COMSAT Corporation
COMSAT World Systems

By: 
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June 1, 1995

Systems, filed on March 6, 1995 in IC Docket No. 94-31 at 2-4.

CERTIFICATE OF SERVICE

I, Robert A. Mansbach, certify the copies of the foregoing Comments of COMSAT World Systems were served by first-class mail, postage prepaid, this 1st day of June, 1995 on the following:

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